

Appl. No. 10/091,209
Amendment dated September 18, 2003
Reply to Office Action of August 18, 2003

REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested.

Claims 1 through 19 are pending in the application with claim 7 having been amended.

Claims 1 through 6 and 13 through 19 have been allowed.

The specification has been objected to for informalities. According to the Examiner:

"...[T]he use of the trademarks ADRIPRENE® [sic] and VIBRATHANE® have been noted in the application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

... See, for example, particularly page 10, lines 22 and 23. Applicant is advised that any other trademarks used in this specification should conform to this practice."

It is submitted that the above-presented amendments to the specification have overcome the objection and its withdrawal is respectfully requested.

Claims 7-9, 11, and 12 have been rejected under 35 U.S.C. 102(b) as being anticipated by Reuter et al. (U.S. Patent No. 2,951,053).

Claims 7-12 have been rejected under 35 U.S.C. 102(b) as being anticipated by Kausch et al. (U.S. Patent No. 5,674,567).

Claims 7-12 have been rejected under 35 U.S.C. 102(b) as being anticipated by General Tire and Rubber Co. (General Tire) (U.K. Patent Specification No. 908,012).

Reuter et al. disclose improving the friction characteristics of rubber-like polyurethanes by introducing a combination of molybdenum disulfide, a silicone oil, and/or a hydrocarbon having a boiling point at atmospheric pressure of over 200° C into the rubber-like

Appl. No. 10/091,209

Amendment dated September 18, 2003

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polyurethane material. See column 1, lines 36-42.

Kausch et al. disclose a primerless, one-part, heat curable, low volatile organic compound, polyurethane composition that comprises a blocked polyurethane prepolymer made from a liquid hydroxyl terminated intermediate and an excess of a polyisocyanate, a curing agent, silicone and/or low friction polymer and optional fillers. Upon cure of the polyurethane composition, *the silicone oil and/or low friction polymer generally imparts low friction and high abrasive resistant properties.*

U.K. 908,012 discloses providing a polyurethane foam by reacting one mole equivalent weight of a hydroxy terminated polyalkylene ether glycol having a molecular weight of 750 to 10,000 with 1.1 to 12 mole equivalent weights of an organic polyisocyanate having at least 10% of its weight of a phenylene diisocyanate in which the isocyanate groups are attached to an unsubstituted phenylene nucleus to form a moisture-free liquid prepolymer mixture containing free isocyanate groups that have not reacted with hydroxyl terminal groups of the glycol. The prepolymer subsequently is reacted by the addition of water, a polyurethane reaction catalyst, and optionally a crosslinking agent containing a plurality of labile hydrogens to the previously mentioned dry prepolymer forming the desired spongy polyurethane by permitting the reaction to occur in the presence of some agitation and in the presence of a silicone oil so as to trap the CO₂. See page 1, lines 62-87.

In the response to the previous Office Action, Claim 7 was amended to particularly point out that the elastomers of the present invention have improved abrasion resistance *with no significant loss in friction.* It was pointed out that it has been acknowledged in the present

Appl. No. 10/091,209

Amendment dated September 18, 2003

Reply to Office Action of August 18, 2003

application that systems exhibiting improved abrasion resistance accompanied by reduced coefficients of friction are known in the art; see page 1, line 19 through page 2, line 15. The present application goes on to point out that for some applications such reduced friction is unacceptable. It is for applications such as these that the elastomers of the present invention have been developed, i.e., elastomers having improved abrasion resistance with no significant loss in friction. Such elastomeric compositions and methods of making them are not disclosed or suggested by Reuter et al., U.K. 908,012, or Kausch et al., either individually or in combination.

In the present Office Action, the Examiner has continued to reject Claim 7 and the claims dependent upon it, arguing that the language "having improved abrasion resistance with no significant loss in friction", the distinguishing feature of the present invention, had been placed in the preamble of the claim and, thus, was not considered a limitation and was of no significance to claim construction.

Applicants have now amended Claim 7 by moving the distinguishing language from the preamble to the main body of the claim, i.e., that portion subsequent to "comprising".

Accordingly, it is requested that the rejections of claims 7-9, 11, and 12 under U.S.C. 102(b) as being anticipated by Reuter et al., of claims 7-12 under 35 U.S.C. 102(b) as being anticipated by Kausch et al., and of claims 7-12 under 35 U.S.C. 102(b) as being anticipated by General Tire and Rubber Co. be withdrawn.

Appl. No. 10/091,209

Amendment dated September 18, 2003

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In view of the foregoing, it is submitted that this application is now in condition for allowance and an early Office Action to that end is earnestly solicited.

Respectfully submitted,

17 Sep 2003

Date

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